

Mr. President:

I rise to support the amendment by the gentleman from_____.

Under new section 515 of the Foreign Assistance Act of 1961, U. S. funds cannot be used for military operations by foreign forces or foreign persons in Laos, Thailand or North Vietnam without the prior specific approval of the Congress. The complete details of the proposed military operation must be even given to Congress and Congress must/designate the area where the military operation may be conducted.

A great deal of time has been spent discussing the implications of this provision. I will not dwell further on its interference with the constitutional prerogatives of the President to conduct foreign policy and to exercise his responsibility as Commander-in-Chief of the Armed Forces even though serious constitutional questions are raised.

But the practical implication of this legislation is that it will undermine the capabilities of free world forces in South Vietnam and in Laos in fighting the war.

Congress has already amply exerted its powers to control the war in Southeast Asia. Let us look to the record.

First, we have prohibited funds for the introduction of U. S. combat troops into Laos or Thailand.

Second, we have prohibited funds for introduction of U. S. ground combat troops into Cambodia.

Third, we have prohibited funds for U. S. advisers for Cambodia.

Fourth, we have imposed a ceiling on expenditures in Laos and get accountings on these expenditures from the President.

Fifth, we have imposed a ceiling on expenditures in Cambodia and get accounting on these expenditures.

Sixth, we have imposed a limitation on the numbers of U. S. civilians in Cambodia.

All of these restrictions were the subject of prolonged discussion on the Senate floor. The propositions were adopted. But not one of the propositions was adopted on the basis that it would hamper ongoing operations in the war zone. They were adopted to confine the war to its existing dimensions. This is not the type of proposition we are considering here now. New section 515 would hamper essential ongoing military operations. Let me give you several examples.

All of us know that without the assistance of irregulars, who are Thai nationals, the situation in Laos would deteriorate rapidly. Mainline North Vietnam forces could be released from Laos to exert greater pressure on South Vietnam at a most perilous time. This in turn could affect the safe and orderly withdrawal of U. S. forces from South Vietnam. Moreover, any deterioration of the military situation in Laos is destabilizing and could raise the specter of a direct confrontation between North Vietnam and Thailand, a country with whom the U. S. has treaty commitments.

The proposed legislation would affect South Vietnamese incursions into Laos to interdict the Ho Chi Minh Trail, a wartime requirement which itself is recognized in the Fulbright amendment which has been adopted in

the defense authorization and appropriations acts for several years now.

Lastly, the legislation would affect other allies of South Vietnam, such as the Koreans, who have been fighting alongside the ARVN.

It becomes clear that if we hold this proposed legislation up to the light/ its implications are far reaching and drastically different from any other legislation which we have enacted to assure that the war is not widened beyond its present boundaries. This proposed new section wraps a chain of impossible requirements around sovereign nations which are fighting for their very existence. What the proposal simply and clearly is saying to these nations is that in order to continue to receive military assistance from the U. S. Government they must submit detailed military plans for each and every affected engagement to the Congress of the United States for its approval.

Mr. President, no war has ever been fought on that basis. No war can be successfully fought on that basis.

Mr. President, the very military operations which the Congress of the United States might ultimately vote to support would without question be delayed beyond the time they could be effective and would be subject to the unbearable burden of making the exact details of the military operation widely available long before the battle is fought. This would present a clear and present security risk that no nation could undertake in consideration for the safety of its troops, not to mention the success of the military operation involved.

Mr. President, these requirements are surely a prescription for defeat. They have nothing at all to do with assuring against the widening of

a war which we all hope and pray is nearing its end. It is on this basis that I strongly urge that the proposal be defeated and that the amendment of the gentleman from _____ be adopted.

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Remarks:	
<p>For your information in connection with preparation of unclassified floor statements for use in the Senate on the Foreign Assistance Act of 1961. This proposed statement I think would fit under topic 5 of the June 15th paper.</p> <p>If we can get something from you on topics 1 and 3, and if you are satisfied with the talking paper under topic 2, I think we will have all the material we need.</p>	
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